

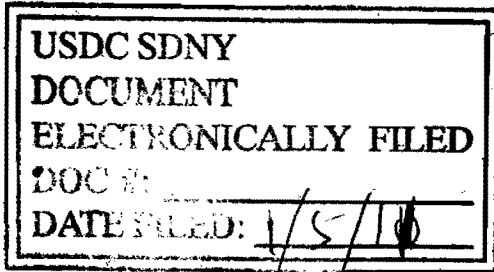
WORBY GRONER EDELMAN & NAPOLI BERN LLP

A Partnership of Limited Liability Partnerships

350 Fifth Avenue, Suite 7413

New York, New York 10118

(212) 267-3700



BRIAN D. CROSBY
BCROSBY@NAPOLIBERN.COM

January 5, 2011

Via Electronic Transmission

The Hon. Alvin K. Hellerstein

Daniel Patrick Moynihan United States Courthouse

500 Pearl Street, Room 1050

New York, New York 10007-1312

Re: *In re: World Trade Center Disaster Site Litigation*
21 MC 100 (AKH)

Dear Judge Hellerstein:

This letter addresses the identical issue raised in Christopher LoPalo's letter to the Court dated December 30, 2010 regarding the John Walcott case. In addition to Mr. Walcott's claim, there were a number of additional cases inadvertently included in this Court's Order Dismissing Cases With Prejudice For Failure to Prosecute dated December 30, 2010. While the plaintiffs listed below apparently did not respond to Special Counsel's communications, prior to Special Counsel's efforts, these individuals communicated to our office *in writing* that they intended to opt out of the World Trade Center Settlement Process Agreement, As Amended and have their cases proceed towards trial. As was the case with Mr. Walcott, discontinuing the ir actions was never a consideration. Thus, we believe that the following cases were inadvertently included the Order:

- | | |
|-------------------------------|----------------------------------|
| 1) John Defano, 07CV04916; | 5) Daniel Moynihan, 07CV05021; |
| 2) Rudolph Geiger, 05CV00406; | 6) Mimi Netrosio, 06cv11774; and |
| 3) Samuel Gilford, 06CV09785; | 7) Grant Sneddon, 07CV09189. |
| 4) Thaddeus Hall, 07CV10879; | |

Accordingly, we respectfully request that the Court to reinstate the above-listed cases. As always, we are available to discuss these matters at Your Honor's convenience.

Respectfully submitted,

WORBY GRONER EDELMAN & NAPOLI BERN, LLP

Brian D. Crosby

*Denied. Proceed
by motion.
1-5-11*

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21 MC 100 (AKH)
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cc:
Special Master Twerski
Special Master Henderson
Margaret Warner, Esq.
James E. Tyrrell, Jr., Esq.
Michael Hoenig, Esq.